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CANTOR COLBURN LLP 55 GRIFFIN ROAD SOUTH BLOOMFIELD, CT 06002			NGUYEN, TOAN D	
			ART UNIT	PAPER NUMBER
			2665	

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/873,709

Applicant(s)

GILBERT, LANNY

Examiner

Toan D. Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 19-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 19-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 11, 19, 21, 23 and 25-30 are objected to because of the following informalities:

In claim 11 line 2, it is suggested to change "the Internet" to --- an Internet ---.

In claim 19 line 5, it is suggested to change "the future audio conference request" to --- the future audio conference call request ---.

In claim 19 line 5, it is suggested to change "the future audio conference information" to --- the audio conference information ---.

In claim 21 line 2, it is suggested to change "the Internet" to --- an Internet ---.

In claim 23 line 6 and line 11, it is suggested to change "the future audio conference information" to --- the audio conference information ---.

In claim 25 line 3, it is suggested to change "the future audio conference request" to --- the future audio conference call request ---.

In claim 26 line 3, it is suggested to change "the call set-up being system connected" to --- the call set-up system being connected ---.

In claim 27 line 1, it is suggested to change " the communication devices" to --- the plurality of communication devices ---.

In claim 28 line 1, it is suggested to change " the communication devices" to --- the plurality of communication devices ---.

In claim 29 line 1, it is suggested to change " the communication devices" to --- the plurality of communication devices ---.

In claim 30 line 1, it is suggested to change " the communication devices" to ---
the plurality of communication devices ---.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-8, 11 and 19-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (US 6,275,575) in view of Hogan et al. (US 5,483,587).

For claim 1, Wu discloses method and system for coordinating and initiating cross-platform telephone conferences, said system comprising:

a call control engine (figure 1, reference 102) for receiving a future audio conference request from the host party (coordinator means) (col. 5 lines 25-29 and col. 5 lines 45-53) and for prompting the host party (coordinator means) on a communication device (figure 2A, reference 200) for audio conference information associated with the future audio conference request (figure 4A, col. 7 lines 38-50 and col. 8 lines 24-49);

a conference call database (figure 1, reference 103) having a plurality of entries, wherein the audio conference information is stored in one of entries (col. 5 lines 25-29);

a call facility (figure 1, reference 106) for making audio connections, according to the future audio conference request, to the host party (coordinator means) and at least one participant (figure 1, references 116, 142a-c) (col. 5 line 57 to col. 6 line 6), said call

facility (figure 1, reference 106) first attempting an audio connection to the host party (coordinator means) (figure 4A, reference 412 Primary Time and Secondary Time, col. 9 lines 21-25 and col. 10 lines 39-41) and making an audio connection to the at least one participant (col. 10 lines 51-53 where the telephone conference server then initiates calls to connect participants and coordinator).

Wu does not expressly disclose making an audio connection to the at least one participant after the host party has answered the audio connection. To make an audio connection to the at least one participant after the host party has answer the audio connection would have been obvious to one of ordinary skill in the art because the host party is the most important element of the conference that setup and control the conference call. Therefore, the host party must be call first so that any participants that answer the call can be connected to the host party.

However, Wu does not disclose the call facility including a common channel signaling system (CCSS). In an analogous art, Hogan et al. disclose the call facility including a common channel signaling system (CCSS) (figure 3, reference 124) (col. 5 lines 30-32). Hogan et al. disclose further a call bridging facility (figure 9, reference 908) for bridging the audio connections between the host party and at least one participant (col. 10 lines 44-45).

One skilled in the art would have recognized the call facility including a common channel signaling system (CCSS), and would have applied Hogan et al.'s signaling channel in Wu's coordinating server device. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Hogan et al.'s system

and method for call conferencing in Wu's method and system for coordinating and initiating cross-platform telephone conferences with the motivation being to provide signaling channel 124 to transmit call data 144 (col. 5 lines 23).

For claim 2, Wu discloses further comprising a timer facility for setting a timer for the future audio conference request (figure 4A, reference 412 Primary Time and Secondary Time, col. 8 lines 30-31).

For claim 3, Wu discloses wherein the future audio conference request includes: a future meeting time, a host destination, and at least one participant destination (figure 4A-C, col. 8 line 24 to col. 9 line 29).

For claim 4, Wu discloses wherein the host destination is a telephone number (figure 1, reference 116, col. 7 lines 2-5 where telephone 116 including a telephone number).

For claim 5, Wu discloses wherein the at least one participant party destination is a telephone number (figure 4A, reference 408, col. 8 lines 7-14 and col. 8 line 63 to col. 9 line 11).

For claim 6, Wu discloses wherein the audio connections are made through a public switched telephone network (figure 1, reference 112, col. 5 lines 12-13).

For claim 7, Wu discloses wherein the host destination is an e-mail address (figure 4B, reference 440, col. 9 lines 12-17).

For claim 8, Wu discloses wherein the at least one participant party destination is an e-mail address (figure 4A, reference 408, col. 8 lines 28-31 and col. 8 line 63 to col. 9 line 11).

For claim 11, Wu discloses wherein the audio connections are made through the Internet (figure 1, reference 124, col. 7 lines 5-8).

For claim 19, Wu discloses method and system for coordinating and initiating cross-platform telephone conferences, the method comprising:

receiving a future audio conference call request from the host party (coordinator means)(col. 5 lines 45-53) and prompting the host party (coordinator means) on a communication device (figure 2A, reference 200) for audio conference information associated with the future audio conference request (figure 4A, col. 7 lines 38-50 and col. 8 lines 24-29), wherein the future audio conference information includes

a future meeting time (figure 4A, reference 412 Primary Time and Secondary Time, col. 8 lines 28-31 and col. 9 lines 21-25);

a host party destination (figure 4A, col. 8 lines 24-49 and col. 8 lines 63-65), and at least one participant party destination (figure 4A, reference 408, col. 8 lines 38-62);

storing the future audio conference call request in a database entry (col. 5 lines 25-29 and col. 5 lines 45-53);

retrieving the database entry at the future meeting time (figure 4A, col. 8 lines 41-62);

attempting to connect the host party destination at the future meeting time (figure 4A, reference 412 Primary Time and Secondary Time, col. 9 lines 21-25 and col. 10 lines 39-41);

connecting the at least one participant party destination (col. 10 lines 51-53 where the telephone conference server then initiates calls to connect participants and coordinator).

Wu does not expressly disclose connecting the at least one participant party destination if the host party destination establishes a connection. To connect the at least one participant party destination if the host party destination establishes a connection would have been obvious to one of ordinary skill in the art because the host party is the most important element of the conference that setup and control the conference call. Therefore, the host party destination must be established a connection so that the at least one participant destination that answer the call can be connected to the host party destination.

However, Wu does not expressly disclose bridging the host party destination to the at least one participant party destination. In an analogous art, Hogan et al. disclose bridging (figure 9, reference 908) the host party destination to the at least one participant party destination (col. 10 lines 44-45).

One skilled in the art would have recognized bridging the host party destination to the at least one participant party destination, and would have applied Hogan et al.'s conference bridge in Wu's coordinating server device. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Hogan et al.'s system and method for call conferencing in Wu's method and system for coordinating and initiating cross-platform telephone conferences with the motivation

being to bridge the conference participants together on the conference call (col. 10 lines 44-45).

For claim 20, Wu discloses wherein bridging the host party destination (figure 1, reference 120) to the at least one participant party destination (figure 1, reference 116) is accomplished on a telephone switch (figure 1, reference 112 where the telephone switch is located within the PSTN) (col. 5 lines 12-16).

For claim 21, Wu discloses wherein connecting the host party destination is accomplished through the Internet (figure 1, reference 124, col. 7 lines 5-8).

For claim 22, Wu discloses further comprising setting a timer (figure 4A, reference 412, col. 8 lines 28-31), and associating the timer to the database entry (col. 8 lines 38-59).

For claim 23, Wu discloses method and system for coordinating and initiating cross-platform telephone conferences, the method comprising:

receiving a future audio conference call request from the host party (coordinator means)(col. 5 lines 45-53);

prompting the host party (coordinator means) on a communication device (figure 2A, reference 200) for audio conference information associated with the future audio conference request (figure 4A, col. 7 lines 38-50 and col. 8 lines 24-29), wherein the future audio conference information includes

a future meeting time (figure 4A, reference 412 Primary Time and Secondary Time, col. 8 lines 28-31 and col. 9 lines 21-25);

a host party destination (figure 4A, col. 8 lines 24-29 and col. 8 lines 63-65), and

at least one participant party destination (figure 4A, reference 408, col. 8 lines 38-62);

storing the future audio conference information in a database entry (col. 5 lines 25-29 and col. 5 lines 45-53);

retrieving the database entry at the future meeting time (figure 4A, col. 8 lines 41-62);

attempting to connect the host party destination (figure 4A, reference 412 Primary Time and Secondary Time, col. 9 lines 21-25 and col. 10 lines 39-41);

connecting the at least one participant party destination (col. 10 lines 51-53 where the telephone conference server then initiates to connect participants and coordinator).

Wu does not expressly disclose connecting the at least one participant party destination if the host party destination establishes a connection. To connect the at least one participant party destination if the host party destination establishes a connection would have been obvious to one of ordinary skill in the art because the host party is the most important element of the conference that setup and control the conference call. Therefore, the host party destination must be established a connection so that the at least participant party destination that answer the call can be connected to the host party destination.

However, Wu does not expressly disclose bridging the host party destination to the at least one participant party destination. In an analogous art, Hogan et al. disclose

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bridging (figure 9, reference 908) the host party destination to the at least one participant party destination (col. 10 lines 44-45).

One skilled in the art would have recognized bridging the host party destination to the at least one participant party destination, and would have applied Hogan et al.'s conference bridge in Wu's coordinating server device. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Hogan et al.'s system and method for call conferencing in Wu's method and system for coordinating and initiating cross-platform telephone conferences with the motivation being to bridge the conference participants together on the conference call (col. 10 lines 44-45).

For claim 24, Wu discloses further comprising:

setting a timer (figure 4A, reference 412 Primary Time and Secondary Time, col. 8 lines 28-31), and

associating the timer to the database entry (col. 8 lines 38-59).

For claim 25, Wu discloses wherein the communication device is a cellular telephone (figure 5A, reference 500) having a display (figure 5A, reference 504) for receiving the prompting for the audio conference information associated with the future audio conference request and having a keypad (figure 5A, reference 508) for sending the audio conference information (figure 5A-B, col. 9 lines 40-59).

For claim 26, Wu discloses method and system for coordinating and initiating cross-platform telephone conferences, comprising:

a call set-up system (figure 1, reference 100) having a timer facility (figure 4A, reference 412 Primary Time and Secondary Time, col. 8 lines 30-31), a call facility (figure 1, reference 106) (col. 5 line 64 to col. 6 line 6), a call control engine (figure 1, reference 102) (col. 5 lines 25-29 and col. 5 lines 45-53), and a conference call database (figure 1, reference 103) (col. 5 lines 26-29), the call set-up being system connected to a public switched telephone network (PSTN)(figure 1, reference 112, col. 5 lines 12-13), and to an Internet (figure 1, reference 124, col. 7 lines 5-8), the PSTN including at least one public switch and conferencing hardware (figure 1, reference 112 where the public switch is located within the PSTN) (col. 5 lines 12-16), the call set-up system being accessible to by a plurality of communication devices (figure 1, references 116, 120, 142a-c, col. 5 line 15-18), the call set-up system to perform a method, including:

prompting for teleconference information on the communication device (figure 2A, reference 200, and figure 4A, col. 7 lines 38-50 and col. 8 lines 24-49), the teleconference information including a teleconference data and time (figure 4A, reference 412 Primary Time and Secondary Time, reference 408 Date (mm/dd/yyyy), col. 8 lines 29-31), a host telephone number (figure 1, reference 116, col. 7 lines 2-5 where host telephone 116 including a telephone number), and at least one participant telephone number (figure 4A, reference 408, col. 8 lines 7-14 and col. 8 line 63 to col. 9 line 11).

receiving the teleconference information (col. 5 lines 45-53);

storing the teleconference information in the conference database entry (col. 5 lines 25-29 and col. 5 lines 45-53);

retrieving the teleconference information at the teleconference date and time (figure 4A-B, col. 8 lines 41-62 and col. 9 lines 11-25);

placing a host call to the host telephone number at the conference date and time (col. 9 lines 21-25, col. 10 lines 39-43 and col. 10 lines 51-53 where the telephone conference server then initiates calls to connect participants and coordinator);

placing at least one participant call to the at least one participant telephone number (col. 10 lines 51-53 where the telephone conference server then initiates calls to connect participants and coordinator).

Wu does not expressly disclose after receiving an first answer at the host telephone number and after receiving at least one second answer at the at least one participant telephone number. To receive an first answer at the host telephone number and after receiving at least one second answer at the at least one participant telephone number would have been obvious to one of ordinary skill in the art because the host party is the most important element of the conference that setup and control the conference call. Therefore, the host telephone number must be call first so that the at least one participant telephone number that answer the call can be connected to the host telephone number.

However, Wu does not disclose a bridge facility, having access to a common channel signaling system (CCSS) and bridging the host call and the at least one participant call. In an analogous art, Hogan et al. disclose a bridge facility (figure 9,

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reference 908, col. 10 line 44), having access to a common channel signaling system (CCSS) (figure 3, reference 124) (col. 5 lines 30-32) and bridging the host call and the at least one participant call (figure 9, reference 908, col. 10 lines 44-45).

One skilled in the art would have recognized a bridge facility, and would have applied Hogan et al.'s conference bridge in Wu's coordinating server device. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Hogan et al.'s system and method for call conferencing in Wu's method and system for coordinating and initiating cross-platform telephone conferences with the motivation being to bridge the conference participants together on the conference call (col. 10 lines 44-45).

For claim 27, Wu discloses wherein the communication devices include a telephone (figure 1, reference 116), the telephone being connected to a public switch, the public switch being connected to the PSTN (figure 1, reference 112, where the public switch is located within the PSTN) (col. 5 lines 12-16).

For claim 28, Wu discloses wherein the communication devices include a cellular telephone (figure 1, reference 142a-c), the cellular telephone being in radio communication with a base station, the base station being connected to a mobile switching center (MSC), the mobile switching center (figure 1, reference 136, wireless network 136 (e.g., CDMA, TDMA, PHS, GPRS, GSM, etc.)) being connected to the PSTN (figure 1, reference 112, a bidirectional link is connected between PSTN 112 and wireless network 136).

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4. Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (US 6,275,575) in view of Hogan et al. (US 5,483,587) further in view of Roy (US 6,697,341).

For claim 9, Wu in view of Hogan et al. do not expressly disclose wherein the host destination is an Internet Protocol address. In an analogous art, Roy discloses wherein the host destination is an Internet Protocol address (col. 2 lines 46-54). Roy discloses further wherein the at least one participant party destination is an Internet Protocol address (col. 2 lines 46-54 as set forth in claim 10).

One skilled in the art would have recognizes the host destination is an Internet Protocol address, and would have applied Roy's start-up signals include information regarding the destination addresses in Wu's coordinating server device. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Roy's apparatus and method for providing multimedia conferencing services with selective performance parameters in Wu's method and system for coordinating and initiating cross-platform telephone conferences with the motivation being to provide an operator of the user device 100 to communicate with the user devices 106, 108, 112 (col. 2 lines 46-49).

5. Claims 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (US 6,275,575) in view of Hogan et al. (US 5,483,587) further in view of Buskirk, Jr. (US 6,178,183).

For claim 29, Wu discloses wherein the communication devices include a personal digital assistant (PDA) (figure 1, 142a, col. 2 line 59), the PDA being

connected to the Internet (figure 1, reference 124) and PSTN (figure 1, reference 112 where the public switch is located within the PSTN (being connected to the PSTN means), col. 5 lines 10-18).

However, Wu in view of Hogan et al. does not expressly disclose an Internet service provider (ISP) the ISP being connected to a public switch and the Internet. In an analogous art, Buskirk, Jr. discloses an Internet service provider (ISP) the ISP (figure 4, reference 413) being connected to a public switch (figure 4, reference 403) and the Internet (col. 5 lines 8-7).

One skilled in the art would have recognized an Internet service provider (ISP), and would have applied Buskirk, Jr.'s Internet service provider in Wu's coordinating server device. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Buskirk, Jr.'s method and apparatus for receiving conventional telephone calls while connected to the Internet in Wu's method and system for coordinating and initiating cross-platform telephone conferences with the motivation being to provide access for users to the Internet.

For claim 30, Wu discloses wherein the communication devices include a computer (figure 1, 120, col. 5 line 16), the computer being connected to the Internet (figure 1, reference 124) and PSTN (figure 1, reference 112 where the public switch is located within the PSTN (and being connected to the PSTN means), col. 5 lines 10-18).

However, Wu in view of Hogan et al. does not expressly disclose an Internet service provider (ISP) the ISP being connected to a public switch and the Internet. In an analogous art, Buskirk, Jr. discloses an Internet service provider (ISP) the ISP (figure 4,

reference 413) being connected to a public switch (figure 4, reference 403) and the Internet (col. 5 lines 8-7).

One skilled in the art would have recognized an Internet service provider (ISP), and would have applied Buskirk, Jr.'s Internet service provider in Wu's coordinating server device. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Buskirk, Jr.'s method and apparatus for receiving conventional telephone calls while connected to the Internet in Wu's method and system for coordinating and initiating cross-platform telephone conferences with the motivation being to provide access for users to the Internet.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan D. Nguyen whose telephone number is 571-272-3153. The examiner can normally be reached on M-F (7:00AM-4:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Toan Nguyen

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